



Docket No.: 46963

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Jeffrey M. Isner, et al.

EXAMINER: Gambel, P.

SERIAL NO.: 08/744,882

GROUP: 1806

FILED: November 8, 1996

FOR: **METHODS FOR REGULATING ANGIOGENESIS**Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

DECLARATION OF JEFFREY M. ISNER and TAKAYUKI ASAHARA

We, Jeffrey M. Isner and Takayuki Asahara declare as follows:

1. We are co-inventors of the invention described and presently claimed in the above-identified application.
2. We are co-authors of Asahara, et al., *Circulation* 94 (8 suppl.) I-237 (1996). Gina Schatterman, Alison Sullivan and Marcy Silver are also listed as co-authors of that publication. While Drs. Schatterman, Sullivan and Silver are properly credited for purposes of publication of that reference, they are not co-inventors of the invention presently claimed in the above-identified application. Drs. Schatterman and Sullivan assisted in the isolation of endothelial progenitor cells. Dr. Silver assisted in the live animal experiments.

It is clear that Drs. Schatterman, Sullivan and Silver did not make a conceptual contribution to the presently claimed invention and are thus not co-inventors of the claimed invention.

We further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false

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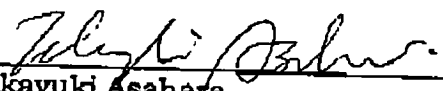
statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Jeffrey M. Isner

1/5/98

Date



Takayuki Asahara

Dec. 31 1997

Date

wp#107438

GP-1806

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ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, DC 20231

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**TRANSMITTAL OF DECLARATION
OF JEFFREY M. ISNER AND TAKAYUKI ASAHARA**

Applicants enclose herewith a Declaration of Jeffrey M. Isner and Yakayuki Asahara executed by each of the inventors in the above-identified application.

Respectfully submitted,

DIKE, BRONSTEIN, ROBERTS
& CUSHMAN, LLP

Date: 1/12/98


David S. Resnick
(Reg. No.: 34,235)
Attorney for Applicant
130 Water Street
Boston, MA 02109
(617) 523-3400